

REMARKS

At the outset, the Examiner is thanked for considering the pending application. The Office Action mailed on June 12, 2008, was received and its contents carefully reviewed.

Claims 1, 12, and 21 are hereby amended. Claim 29 is hereby added. Claims 25 has been cancelled. No new matter has been added. Support for the amendments to claim 21 and for claim 29 may be found in the specification at paragraph [0041]. Accordingly, claims 1-4, 6, 7, 9-16, 18-24, and 26-29 are currently pending. Reconsideration of the pending claims are respectfully requested.

Initially, Applicants would like to thank the Examiner for the courtesy extended over the telephone on June 17, 2008, and on September 8, 2008. During the telephone interview of June 17 the Applicants inquired about the double patenting rejection. No agreement was reached. During the September 8, 2008 interview, Applicants proposed the instant amendment and the Examiner agreed that the amendment did not introduce new matter and would overcome the outstanding rejections.

The Office Action rejects claims 1-4, 9-16, and 18-20 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office Action also rejects claims 1-4, 9-16, and 18-20 under 35 U.S.C. 103(a) as being unpatentable over lost count 1 of Interference No. 105,599. Furthermore, on page 5 of the Office Action, the Examiner proposes an amendment to claim 1 and 12 and states that the amendment would overcome the rejection under 35 U.S.C. 112, first paragraph, and under 35 U.S.C. 103(a). Applicants respectfully traverse these rejections. In order to expedite prosecution, however, Applicants have amended independent claims 1 and 12 as suggested by the Examiner on page 5 of the Office Action. Accordingly, Applicants respectfully request withdrawal of the above rejections.

The Office Action also rejects claim 21 under 35 U.S.C. 101 as claiming the same invention as that of claim 5 of prior U.S. Patent No. 6,720,573. Applicants respectfully traverse this rejection. Applicants, however, have amended claim 21 to include an additional element. This element distinguishes claims 21 from claim 5. A terminal disclaimer over U.S. Patent No. 6,720,573 has already been filed in this application. Applicants, therefore, respectfully request withdrawal of this rejection.

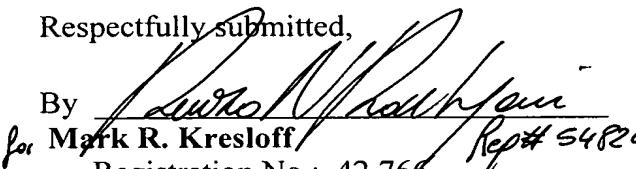
Newly added claim 29 depends on claim 21 and thus is allowable over the prior art for at least the same reasons as claim 21.

The application is in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: September 9, 2008

Respectfully submitted,

By 
for Mark R. Kresloff Rep# 54824

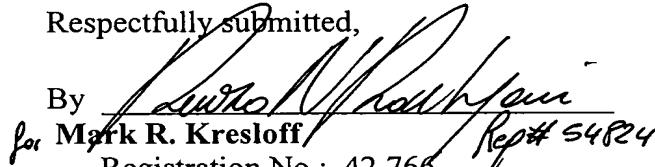
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